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Remarks

Claims 1-18 and 34-42 have been allowed. Independent claims 19, 24, 26, 31 and 53 have been rejected. Certain of the dependent claims have been objected to.

Applicant respectfully requests reconsideration and reexamination.

102 Rejection – Amrany

Claim 24 was rejected based on Amrany. Applicants disagree that Amrany anticipates the claim.

Amrany describes a system in which a modem at the customer premises senses conditions at the customers premises and adjusts power levels based on the sensed conditions.

In contrast, the claim relates to a method of marketing telephone lines to customers. Amrany relates to a subscriber that already has telephone services. Thus, it does not meet the “pre-qualifying” language of the claim. Nor does it include the claim limitation of “selectively offering the high-speed service... to the portion having lines qualified to support high-speed service.”

As an additional difference, Amrany relates to test done based on modem data at the customer premises. Accordingly, it fails to meet the claim requirement of being able to pre-qualify a plurality of customer lines with “one-ended electrical measurements made by a test unit switchably connected to the plurality of customer lines.”

Furthermore, the claim is not obvious in light of the reference because the reference fails to teach the claimed method. The reference relates to changes made within a subscriber premises based on the types of devices connected to the customer line. Nowhere does it teach pre-qualifying multiple lines by connecting a test unit through a switch for the purpose of selectively offering the high speed service to those that have pre-qualified lines.

102 Rejection – Eichen

Claim 26 was rejected based on Eichen. However, Claims 20 and 28 were previously indicated as containing allowable subject matter, but were dependent on a rejected base claim. Common subject matter from claims 20 and 28 was added to claim 26. Therefore, claim 26 should be allowed.

103 Rejection – Eichen and Harris

Claim 31 is rejected based on Eichen and Harris.

Claim 32 was previously objected to, but depended from claim 31. Portions of the subject matter from claim 32 have been added to claim 31, which is believed to make the claim allowable.

Neither reference teaches or suggests determining the frequency dependent attenuation from the measurements. That is now a feature of claim 31.

102 Rejection – Beierle

Claims 53-57 were rejected based on Beierle. Applicants disagree that Beierle shows a system that detects bridge taps at all. Applicants also disagree that the reference shows detecting bridge taps by finding a signature of a bridged tap in an admittance as a function of frequency.

As understood, Beierle relates to qualifying a line based on its length – lines that are too long do not support digital transmission (column 1, line 39). The test system uses capacitance of the line as an indication of its length (column 1, line 50). This patent specifically discusses the appropriate frequency to use to measure the capacitance for a more accurate measurement. The reference does not describe detection of bridged taps by an admittance signature.

103 Rejection – Amrany and Burgess

Claims 19 and has been amended to include the limitations of claim 20, which was previously indicated as allowable. Claim 19 should therefore be allowed.

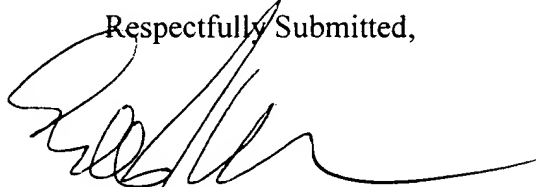
Accordingly, the claims can not be said to be anticipated or obvious in light of the reference.

The dependent claims provide further differentiation from the reference. For example, claim 54 recites a limitation on the range of frequencies used to make the measurements. Claim 57 gives greater detail of the manner in which the signature of a bridged tap is detected.

Conclusion:

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to that effect is earnestly solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Edmund J. Walsh', written over the typed name.

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